
KEEPING WASHINGTON CLEAN – LITTER PREVENTION AND PICKUP RECOMMENDATIONS TO WASHINGTON STATE LEGISLATURE

Prepared by
Litter Task Force

Participating Parties:

Washington State House of Representatives
Washington State Senate
Washington State Department of Corrections
Washington State Department of Ecology
Washington State Parks and Recreation Commission
Washington State Department of Natural Resources
Washington State Department of Transportation
Washington State Association of Counties
Washington State Association of Cities
Law Office of Stuart Halsan for Coors Brewing Company
Lewis County Health Department
Washington State Recycling Association
Washington Food Industry
Washington Refuse and Recycling Association
Washington Soft Drink Association
Longview Fibre Company

EnviroIssues, Facilitation

December 19, 1997

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19 December 1997

Senator Bob Morton, Chair
Agriculture & Environment Committee
Washington State Senate
115-D Institutions Building
Olympia, WA 98504-0482

The Honorable Gary Chandler, Chair
Agriculture & Ecology Committee
Washington State House of Representatives
407 John L. O'Brien Building
Olympia, WA 98504-0600

Dear Senator Morton and Representative Chandler:

The Litter Task Force is pleased to present its report in response to proposed legislation during the 1997 Session related to litter prevention and pickup in Washington. As asked, the Department of Ecology convened the agencies, interest groups, and industry representatives with interests in effective use of state funds to prevent, pick up, and dispose of litter generated statewide. Ecology provided administrative and contractual support for the group, but operated as just one seat at the table in terms of its agency interests. This was an independent study group, not an advisory committee to Ecology.

The Task Force met on an ambitious schedule from August through November 1997, working together to define the scope of its deliberations, understand the current state of litter management in Washington, and think creatively about how resources and efforts can best be leveraged to meet statewide objectives. The level of effort by Task Force members was considerable, and consistently constructive. The result is the set of recommendations contained in this report. These recommendations range from relatively simple approaches to coordinating efforts and information, to recommended changes in how litter tax funds are allocated and expended. The Task Force believes that these recommendations are equitable, supportable, and an overall improvement for our state.

We appreciate the opportunity to participate in this activity, and thank you for your support. We urge you to respect these efforts and support implementation of the recommendations. We remain available for questions, help with implementation, or whatever role you deem appropriate.

Sincerely,

Dale Broyles,
*Washington State Parks and Recreation
Commission*

Honorable Gary Chandler,
Washington State House of Representatives

Chris Cooper,
Lewis County Health Department

Senator Karen Fraser,
Washington State Senate

Tom Gillam,
*Washington State Department of
Corrections*

Kristen Harte,
*Law Office of Stuart Halsan for
Coors Brewing Company*

Doug Henken,
Washington Food Industry

J.P. Jones,
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Longview Fibre Company

Dot Vali,
Washington State Recycling Association

Bill Vogler,
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Lisa Wojtanowicz,
City of Tacoma

Ray Willard,
Washington State Department of Transportation

Sheryl Wimberly,
*Washington State Department of Natural
Resources*

Cullen Stephenson,
*Washington State Department of Ecology,
Staff*

Patricia Serie,
EnviroIssues, Facilitator

LITTER TASK FORCE REPORT

EXECUTIVE SUMMARY

Litter Task Force -- Focus on Efficiency and Productivity

A 17-member task force was formed in July 1997 to examine the effectiveness of litter control in Washington as it is carried out in accordance with the Waste Reduction, Recycling, and Model Litter Control Act (RCW 70.93). The group included representatives of the industries that pay the litter tax, and the agencies and entities that receive tax funds or are responsible for some part of the litter control and recycling equation in our state. Their assignment was to evaluate today's system, and recommend changes that would significantly improve litter prevention and pickup into the future.

Ambitious Standard – Zero Litter

The Litter Task Force is committed to a standard of **zero litter** throughout the State of Washington. The partnership of state agencies, local governments, industry, and interest groups represented on the Task Force pledges to work cooperatively toward that goal.

Recommendations to Optimize Litter System

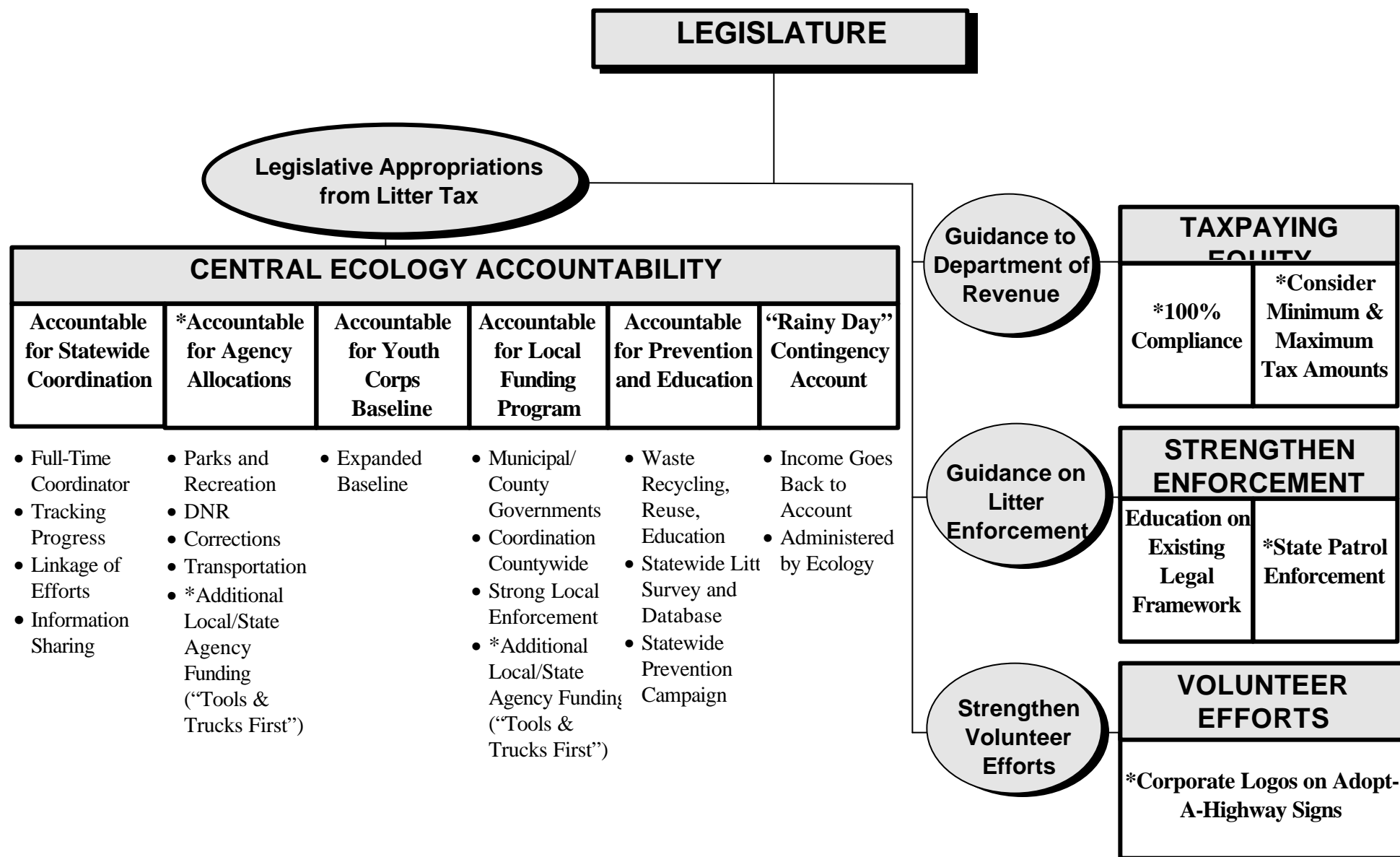
The Task Force has formulated recommendations in several areas that will contribute to meeting the zero litter goal. They are summarized in the diagram at the end of this section, and include:

1. Make the **Department of Ecology responsible and accountable** for administering state agency allocations of litter tax funds, working cooperatively with other agencies (Corrections, Natural Resources, Parks, Transportation) to develop programs and monitor their progress and results.
2. Establish a **central function within Ecology to coordinate, integrate, and strengthen** litter prevention and pickup efforts statewide. This would include **regular information-sharing sessions with other involved agencies, local government grantees, and other interested stakeholders** on methods for and progress toward the zero litter goal.
3. Set an **enhanced baseline for the Ecology Youth Corps** pickup program to maintain progress toward zero litter.
4. Establish a **local government funding program** for litter control activities by cities and counties.
5. In addition to Recommendation 4 above, create an **additional competitive source of capital and operating funds** for local or state agencies. Equipment purchases (e.g., trucks, tools) are to receive priority from this fund.

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6. Continue **support of waste reduction and recycling efforts** as an effective tool for preventing litter and reaching the zero litter goal.
 7. Establish a **“rainy day account”** as **contingency** for litter tax fund expenditures from currently unappropriated funds.
 8. Conduct a **statewide litter survey** targeted at litter composition, sources, demographics, and geographic trends; maintain an information base to guide prevention and pickup efforts.
 9. Conduct a **statewide litter prevention campaign in partnership with local governments and tax-paying businesses** to raise awareness of litter issues and encourage prevention.
 10. Increase emphasis on the **existing legal system** for littering and illegal dumping to **strengthen enforcement** and include a **strong enforcement message** in the statewide litter prevention campaign.
 11. Encourage the Legislature to ensure that the Department of Revenue works toward **100 percent compliance in litter tax collection**, including consideration of **minimum** and **maximum** levels of tax liability.
 12. Make a statutory change to **allow corporate logos on Adopt-a-Highway signs** to enhance the Department of Transportation’s ability to attract corporate sponsors for highway cleanup.

Next steps recommended by the Task Force include a mix of administrative, policy, and legislative actions. The Task Force urges rapid implementation of its recommendations and remains available to support further discussion.

Figure ES-1. Litter Task Force Recommendation Diagram



* Recommendations requiring legislative action.

1. OUR ASSIGNMENT: MISSION AND OBJECTIVES OF THE LITTER TASK FORCE

The Litter Task Force was formed in July 1997 to examine the effectiveness of litter control in Washington as it is carried out in accordance with the Waste Reduction, Recycling, and Model Litter Control Act (RCW 70.93 - see Appendix A). The assignment was to evaluate today's system, and recommend changes that would significantly improve litter prevention and pickup into the future. The Task Force was to recommend to the Legislature and the Department of Ecology (Ecology) areas of improvement that could be implemented through statutory, regulatory, or policy changes. The specific recommendations agreed to by the Task Force are included in Section 4.

Background of Litter Management in Washington

In 1971, the Washington State Legislature approved the Model Litter Control and Recycling Act (RCW 70.93) to control and minimize litter. It was enacted in lieu of a consumer deposit on glass bottles. The law called for a tax of .015% on the sale of the following products:

- Food for human or pet consumption
- Groceries
- Cigarettes and tobacco products
- Soft drinks and carbonated waters
- Beer and other malt beverages
- Wine
- Newspapers and magazines
- Household paper and paper products
- Glass containers
- Metal containers
- Plastic or fiber containers made of synthetic material
- Cleaning agents and toiletries
- Nondrug drugstore sundry products

The tax is paid by various groups, including grocery and drug stores, “fast-food” eating places, wholesale beverage companies, and paper companies, and is collected annually by the Department of Revenue (DOR). The tax was to be used for litter collection, recycling, education, and waste reduction efforts.

In 1992, the Act was amended to change the distribution of taxes to increase emphasis on youth litter pickup programs, and to enforce compliance with the litter tax. The remaining revenues were to be used for programs such as education and awareness, increasing private recycling efforts, and developing markets for recyclable materials.

Issues Leading to Task Force Formation

In the 1997 Legislative Session, there was widespread agreement that the way litter was managed in Washington should be changed. Many interests agreed that use of litter tax funds should be refocused on litter pickup. However, discussions did not result in an agreement on what and how changes should be implemented. A bill was introduced (SB 5842), which would have changed the distribution of tax

revenues. However, the proposed changes were not approved by either the House or Senate. The bill also included the formation of a Litter Task Force to provide recommendations to the Legislature on how to improve litter management. While the bill did not pass, Ecology determined that the need for a task force still existed and so convened the Litter Task Force.

In Ecology's appropriation for the 1997-1999 biennium, the Legislature defined allocations among programs to be:

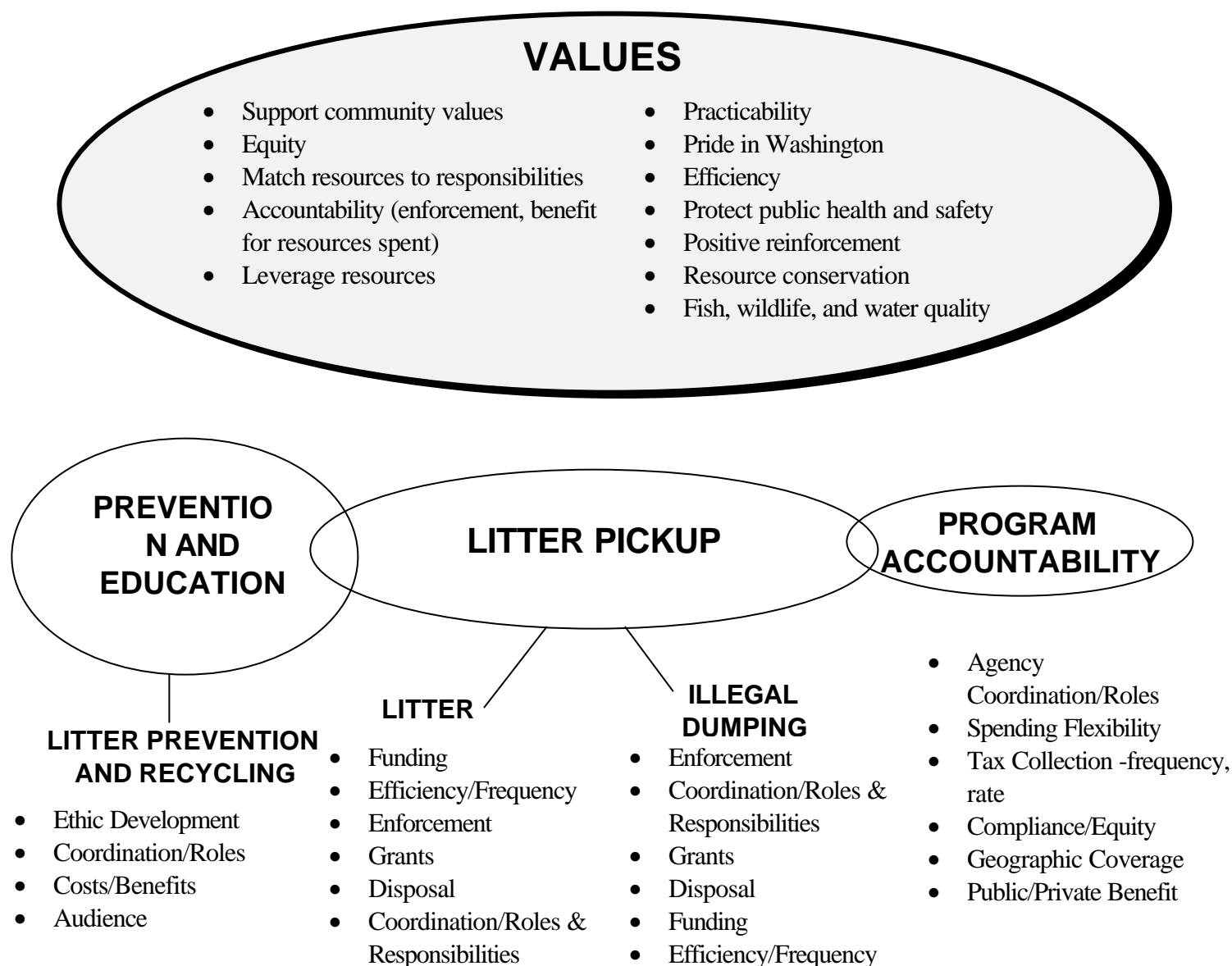
- 50 percent for Ecology Youth Corps and Corrections (litter pickup);
- 20 percent for local government funding for litter efforts; and
- 30 percent for waste recycling, reuse, and education efforts.

The Task Force has worked within this refocused legislative intent to create an integrated implementation program that reflects these percentages. The Task Force is confident that the more detailed recommendations contained in this report are faithful to the Legislature's mandated framework: to put major emphasis on getting litter off the roads statewide.

Guiding Task Force Values and Starting-Point Issues

At its first meeting, the Task Force discussed and reached agreement on the issues requiring attention and of importance to members. Members also defined their underlying values for improved litter management, which served as a basis for evaluating and adopting recommended changes to the litter system. A great deal of dialogue took place in developing the Task Force recommendations, and the results reflect the group's broad interests and underlying values. Figure 1 illustrates those values, which served as the starting point for valuable discussion.

**Figure 1. The Starting Point for Dialogue --
Litter Task Force Values and Issues**



Note: These values and issues were identified by the Task Force at its first meeting as a starting point for discussion. They served a valuable role and are well reflected in the resulting recommendations.

2. HOW WE OPERATED: TASK FORCE COMPOSITION AND OPERATING PROCEDURES

Membership, Affiliations, and Appointment Process

The Litter Task Force included representatives of the industries that pay the litter tax, and the agencies and entities that receive tax funds or are responsible for some part of litter control and recycling in our state. Members included:

Dale Broyles, *Washington State Parks and Recreation Commission*

Honorable Gary Chandler, *Washington State House of Representatives*

Chris Cooper, *Lewis County Health Department*

Senator Karen Fraser, *Washington State Senate*

Tom Gillam, *Washington State Department of Corrections*

Kristen Harte, *Law Office of Stuart Halsan for Coors Brewing Company*

Doug Henken, *Washington Food Industry*

J.P. Jones, *Washington Refuse and Recycling Association*

Honorable Kelli Linville, *Washington State House of Representatives*

Dave Michener, *Washington Soft Drink Association*

James Pendowski, *Washington State Department of Ecology*

Ron Templin, *Longview Fibre Company*

Dot Vali, *Washington State Recycling Association*

Bill Vogler, *Washington State Association of Counties*

Lisa Wojtanowicz, *City of Tacoma*

Ray Willard, *Washington State Department of Transportation*

Sheryl Wimberly, *Washington State Department of Natural Resources*

Staff support was provided by Cullen Stephenson, Washington State Department of Ecology.

Ecology invited the organizations listed above to identify representatives to the Task Force that could bring pertinent information and represent the perspectives and interests of each constituency. Based on organizational nominations, recommended individuals were requested to participate in the Task Force and the group was convened by Ecology. Ecology also selected through a competitive process an independent facilitation contractor, EnviroIssues. EnviroIssues supported the group through preparing for and facilitating meetings, developing needed background materials, working with members to resolve issues, and documenting the Task Force deliberations and work products.

While Ecology played a role as convenor and staff to the Task Force, it held just one seat at the table and participated on the same basis as other members. The Task Force benefited from the broad range of backgrounds and perspectives of its members, and enjoyed a constructive and cooperative working relationship.

Meeting Structure and Decision Protocols

The Task Force met six times from August through December 1997. Meetings were held in Olympia, Tacoma, and Bellevue. The group agreed to operating ground rules (see Appendix B) that allowed it to function effectively and in consideration of all members' perspectives. Key elements of the ground rules involved the need to share common information, analyze issues in a problem-solving way, and attempt to reach consensus recommendations on issues whenever possible. Where consensus was not possible, the group agreed to reflect the level of agreement reached and to characterize other opinions if necessary.

3. WHAT WE KNOW ABOUT LITTER: SHARED FACT-FINDING YIELDED GOOD INFORMATION

How Funds from the Litter Tax Are Currently Allocated and Used

Every agency and entity receiving funds from the litter tax fund provided information to the Task Force on how it was using those funds. Information included how much money was received, how it was spent, and how much litter was collected. Historically, allocations of the litter tax fund have been based on percentages applied to Ecology's appropriated portion of the fund (See Figure 2). In addition, however, some state agencies also received appropriations separately, and there have been some unappropriated dollars from the fund. The Task Force worked hard to understand the "New Arithmetic" of today's litter tax fund, which for this biennium totals approximately \$12 million. That total has been allocated as follows:

- Ecology Youth Corps and Corrections litter pickup activities - \$5.2 million appropriated
- Ecology waste recycling, reuse, and education activities - \$3.1 million appropriated
- Ecology-directed local government grants - \$2.1 million appropriated

Ecology's total appropriation for the 1997-1999 biennium was therefore approximately \$10.4 million. The Legislature also allocated approximately \$600,000 directly to other state agencies. In addition, there is a current, unappropriated litter tax fund balance of about \$1 million. The total funding considered by the Task Force to carry out its recommendations for the 1997-1999 biennium was, thus, approximately \$12 million.

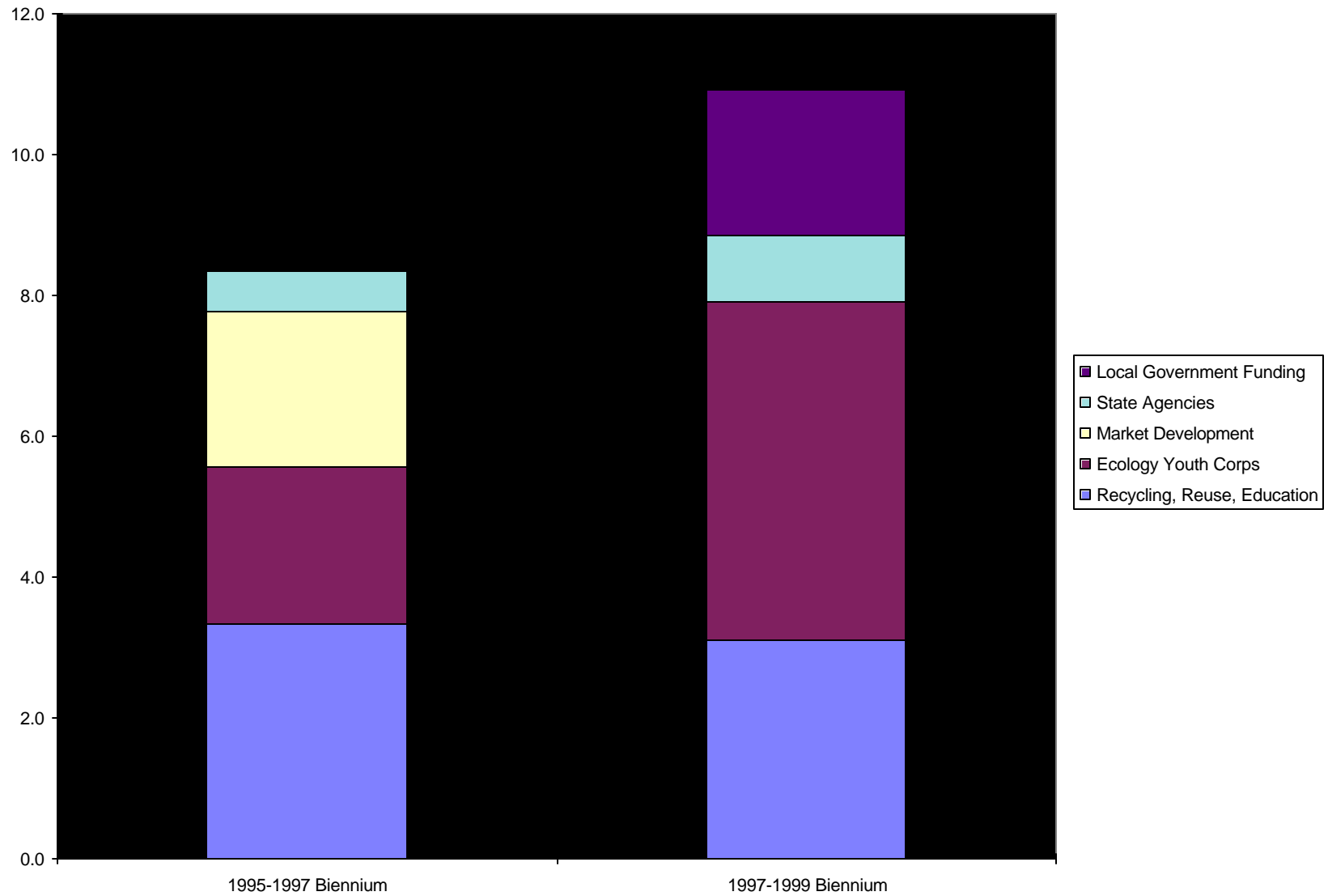
The remainder of this section describes current efforts at litter management by the range of involved organizations.

Department of Corrections

The Department of Corrections (DOC) provides labor for litter control and cleanup of illegal dumps around the state using the services of community-based offenders performing community service hours and minimum-custody inmates. DOC work crews operate in various locations throughout the state and are available to both local governments and other state agencies. In addition to cost-effectively picking up litter, the state and counties also save money on the cost of jail beds which are not used. For example, DOC work crews worked a total of 28,212 hours in King County in 1995. This equals 3,527 jail days which were not used, at a savings of \$176,325 (\$50 per jail day). DOC would like to find more ways to combine resources with other agencies with the labor available in crews serving sentence time so as to provide services to communities and continue to save taxpayers incarceration costs.

In the 1997-1999 biennium, DOC is receiving \$352,000 through an interagency agreement with Ecology. Those funds go primarily to staff (e.g., crew supervisors). Equipment needs are

Figure 2. Litter Tax Appropriations for Last Biennium and Current Biennium



ongoing, both the tools and clothing needed and the vans and trucks needed to transport workers and collect debris. In the past, DOC received Department of Transportation (DOT) contracts for litter pickup. That program no longer operates due to DOT budget cutbacks.

Department of Natural Resources

Litter and illegal dumping are significant issues on public lands in Washington. For the 1995- 1997 biennium, the Department of Natural Resources (DNR) was appropriated \$450,000 from the litter tax revenues and received the same amount for the current biennium. \$425,000 was used for DNR corrections camp crews to fund supervisors. The remaining \$25,000 was spent on disposal and other associated litter pickup costs. While the corrections camp crews are funded to fight forest fires, they spend a large amount of their time on other activities, such as litter pickup, trail restoration, etc. These crews spend most of their litter pickup time on DNR land. DNR staff also pick up litter as they are performing other duties. DNR has education/enforcement officers in several regions, who have decreased illegal dumping because of their presence and the visibility of the issue. In addition, there are groups, such as mountain bicycling associations, that work with the agency to pick up litter. There are also adopt-a-trail and adopt-a-camp programs, which focus on designated trails or camps.

Department of Ecology

Ecology currently administers two programs that are funded by litter tax revenues: Youth Corps and waste reduction/recycling activities. The Ecology Youth Corps focuses on pickup of roadside litter on state and federal highways. The program operates pickup sessions in the fall and spring and two sessions during the summer. Each year, over 5,000 applications are received and the agency selects 400 to 500 youths for the program. Through 1997, over 6,500 young people have participated in the program. In addition to litter pickup, the Youth Corps provides an excellent opportunity to children to work and, in the process, develop an ethic for protecting the environment and not littering.

The youths cover 2,500 to 5,000 road miles each year and collect bags which, when filled, weigh over 20 pounds. Any recyclable materials are separated and taken to appropriate locations. In the 1995-1997 biennium, the program was funded at \$2.5 million. Approximately 23,000 bags per year were collected at that funding level. Concern was raised during the 1997 legislative session about the efficiency of the Youth Corps program, and Ecology's appropriation for litter pickup increased to \$5.2 million. Ecology increased spending on Youth Corps activities to total \$3.8 million for the current biennium, and litter bag pickup was over 60,000 bags in the first year. This was nearly triple the previous year's productivity. Ecology indicated that the \$3.8 to \$4.0 million level was probably optimal funding for the Youth Corps, thus leaving part of their litter pickup appropriation available for additional efforts.

In the 1997-1999 biennium, Ecology also received \$3.1 million to conduct waste reduction/recycling activities. Activities include support for and review of local solid waste plans, involvement in awards programs for waste reduction and recycling activities, preparing and distributing an annual statewide report on the types and amounts of materials recycled to develop a statewide recycling rate, and policy

development and integration. Ecology staff provided technical assistance to local governments and contractors on methods for reducing waste and reusing materials, including construction and demolition materials. In addition, 26,000 callers in 1996 were provided information on recycling and safe disposal of solid wastes through an information hot line.

A third program, which was appropriated at \$2.1 million for this biennium, is local government funding. Ecology is working now to develop the program to get these funds distributed to local governments, based on eligibility and procedural input from the Litter Task Force.

Parks and Recreation Commission

The Parks and Recreation Commission received \$34,000 this biennium from the litter tax. The agency focuses on waste reduction and recycling as litter control and prevention (e.g., signs, containers, and educational campaigns). Most litter collection is done by park rangers, park users, camp hosts, and volunteers. The agency is currently using general funds to augment litter tax resources. A solid waste audit performed for the Parks and Recreation Commission by Ecology is helping the agency target its recycling and litter control efforts.

Litter Management Activities Not Funded by Litter Tax

Local Government

Currently, until Ecology implements its local funding program, local governments do not receive any funds from the litter tax. Most cities and counties pay for these litter control activities from solid waste disposal fees, current expense funds, road funds, grants, and civil infractions. Costs in administering these types of programs often include a litter control officer, administrative costs for the solid waste management program, civil prosecuting attorney, court costs, transportation and equipment, and disposal fees. Cities and counties use a variety of methods to control litter and illegal dumping, including hiring enforcement officers, hosting community cleanup days, coordinating with volunteer groups, conducting public awareness programs, and using correctional inmates and road department staff for pickup.

Department of Transportation

DOT picks up litter as part of its routine highway maintenance responsibilities along 7,000 miles of state highways. Compared with its other goals, however, litter is not a high priority for the agency's resources. There are two primary areas where DOT currently contributes to litter pickup and management--pickup and disposal of litter bags, and administration of the volunteer Adopt-A-Highway program. Both of these activities are funded from the state motor vehicle fund and charged to the highway maintenance program. DOT picks up and disposes of litter collected by Ecology Youth Corps crews and Adopt-A-Highway volunteers. In the last fiscal year, DOT spent at least \$600,000 for pickup and disposal of those litter bags. Pickup of routine litter and major dumped items cost the maintenance budget about \$1 million last year. Costs for the Adopt-A-Highway program were

\$360,000. There are currently approximately 1,600 volunteer groups in the Adopt-A-Highway program. Their agreements call for pickup of litter on their area of road four times per year. If maintenance crews notice that a stretch of road has not been covered, letters are sent to the volunteer groups reminding them of their responsibility. Further non-compliance leads to the group being terminated. While the volunteer program is a significant resource for litter pickup in the state, there are also significant issues with getting groups to meet their obligations.

A new program which allows for corporate sponsorship of highway sections is being started by DOT, based on successful experiences in California and other states. This will allow corporations to pay anywhere from \$750 to \$10,000 per year to have a private contractor pick up and dispose of litter along a stretch of highway. The maximum area allowed to be adopted is 10 miles for a single section. Multiple adoptions are allowed, but not on contiguous sections. This program is expected to expand the geographic coverage of the volunteer program. However, private contractors have expressed skepticism about Washington's program because RCW 47.36.400 does not allow for their business logos to be displayed on signs along the road, thus making it a less attractive sponsorship program.

Statewide Effectiveness of Litter Management Efforts

Evaluating the statewide effectiveness of litter prevention and pickup is not easy. Observation of littered roadsides, experiences of local government personnel who must clean up illegal dumpsites, and the "yield" of litter collection efforts all provide some information about how well the system is working. Based on declining effectiveness over the past several years, efforts in the past year have been expanded (e.g., Ecology's Youth Corps performance and others). The improvements have been visible and successful, and the Task Force agrees that progress is being made. At the same time, there is no consistent, statewide way to track progress or results, and there is little coordination among the entities involved in litter prevention and pickup. The Task Force recognizes the importance of developing information to evaluate litter control effectiveness, target future efforts, and facilitate collaborative efforts among the range of participating agencies and organizations.

4. OPTIMIZING LITTER MANAGEMENT IN WASHINGTON: THE TASK FORCE RECOMMENDATIONS

The Litter Task Force examined the broad range of issues that contribute to effective litter management in Washington:

- How to prevent littering in the first place and strengthen the public ethic to dispose of waste properly.
- How to most efficiently and effectively get litter picked up once it is deposited, whether it is a soft-drink cup out a car window or an illegally-dumped collection of old appliances and household trash.
- How to be sure that all of the players are held accountable for contributing to and using the resources of the state litter management system.

Starting with the issues identified in Figure 1 in the first section of this report, and analyzing those issues in light of the identified values and the available information, the Task Force developed an integrated strategy for optimizing litter management. The cornerstone is a goal of zero litter in Washington. The partnership of state agencies, local governments, industry, and interest groups represented on the Task Force pledges to work cooperatively toward that goal. The group recommends this strategy be implemented as rapidly as possible, beginning with changes that can be implemented today. For those activities requiring legislative or budget appropriation actions, the recommendations should be implemented with the next biennial budget cycle.

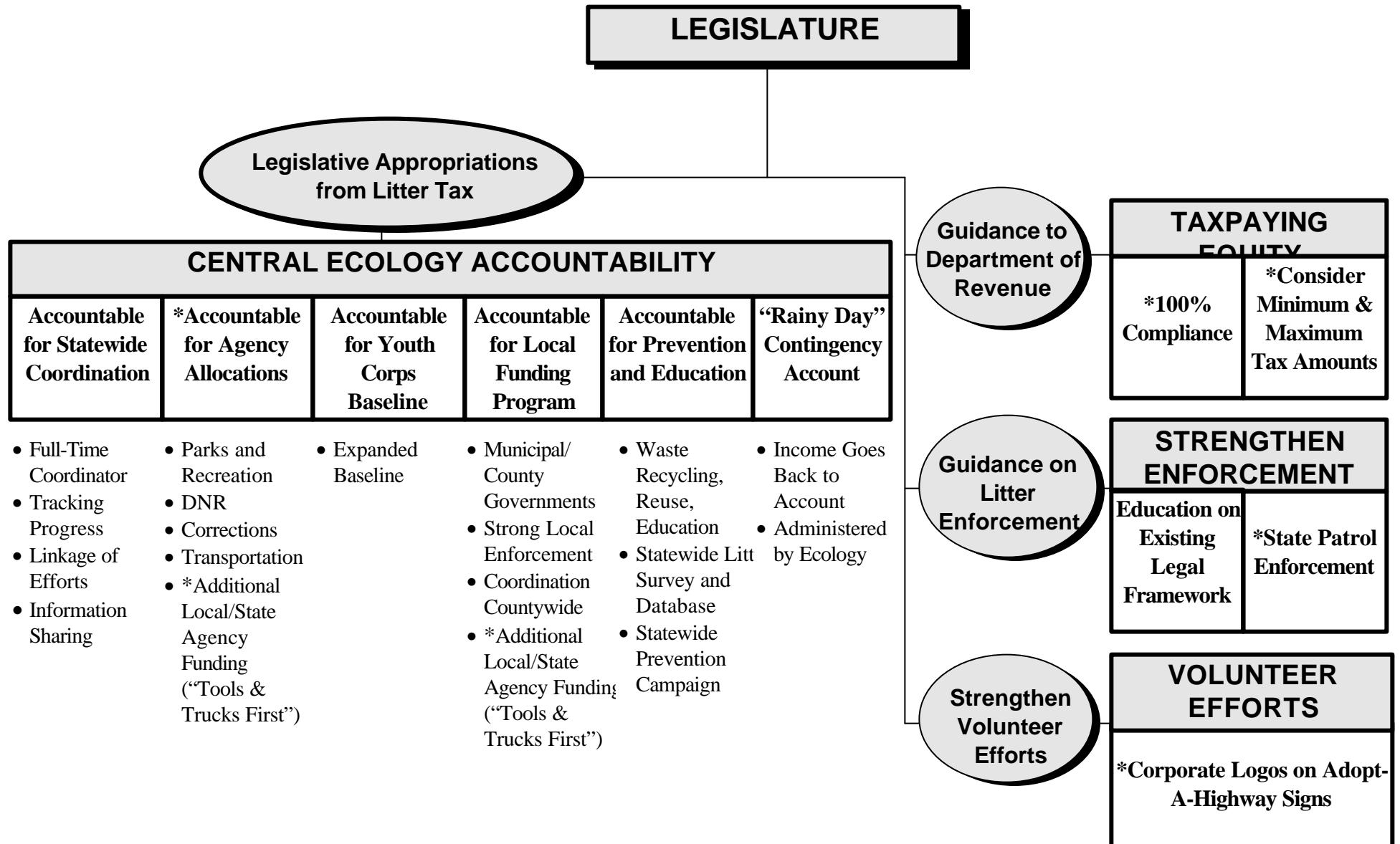
Figure 3 illustrates that strategy at the summary level, and detailed recommendations to implement that strategy follow in this section. Section 5 describes the cost implications of the recommended strategy, and Section 6 outlines recommended next steps.

RECOMMENDATION 1: ECOLOGY RESPONSIBLE AND ACCOUNTABLE

Findings: Funds collected through the litter tax requirements of the Waste Reduction, Recycling, and Model Litter Control Act (RCW 70.93) are currently allocated to several different activities.

- Ecology has historically been slated to receive not more than 60 percent of the fund for waste reduction, recycling, and education efforts. Between 40 and 50 percent of the fund has been meant to be used for litter pickup, and has historically been used by Ecology to administer its Youth Corps program.
- During the last session, Ecology was directed through the budget process to allocate 50 percent of its appropriation to Youth Corps and Corrections litter pickup activities, 20 percent to local governments for litter control activities, and 30 percent to waste recycling, reuse, and education efforts.

Figure 3. Litter Task Force Recommendation Diagram



* Recommendations requiring legislative action.

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- The Legislature directly appropriated approximately \$600,000 in this biennium to several other state agencies (DNR and Parks and Recreation for litter prevention and pickup; DOR for tax collection, Office of Finance and Management for fund administration). Ecology was also directed during the last legislative session to allocate \$352,000 to DOC for litter pickup.

Over time, the total funds in the litter tax fund have grown, and the purpose of the Task Force was to examine expenditures and recommend an optimized program to address litter prevention and pickup in the state. The Task Force found that while much worthwhile work is accomplished with the litter funds, a significant improvement in productivity and efficiency can be made if the program is centralized. Accountability will increase if there is a single point of responsibility and reporting on effective use of the litter tax funds.

Recommendation: *Ecology should be made responsible and accountable for administering state agency allocations of litter tax funds, working cooperatively with other agencies that contribute to litter management to develop programs and monitor progress and results. Ecology should consult with the state agencies that currently receive litter tax funds for implementation (DOC, DNR, Parks and Recreation) and with DOT to cooperatively establish litter prevention and pickup programs that make best use of agency capabilities.*

Funding to carry out those programs should be requested as part of Ecology's next budget appropriation from the litter tax funds. Requested funds should take into account current state agency activities and allocations as well as the overall Task Force recommendation to work toward a zero-litter standard. Ecology, together with involved agencies, should jointly develop standards for accountability for the funds. Also needed is a consistent system to report and track productivity (e.g., miles of road cleaned, units of litter disposed, frequency of cleanup, etc.). Ecology should monitor agency progress against those standards and use that information to evaluate future funding requests.

RECOMMENDATION 2: CENTRAL FUNCTION WITHIN ECOLOGY TO COORDINATE, INTEGRATE, AND STRENGTHEN LITTER PREVENTION AND PICKUP

Findings: The Task Force found that a large number of litter prevention and pickup activities are ongoing, but there is no single point of contact to ensure that they are coordinated and integrated. Examples of the range of activities that take place include:

- Ecology's Youth Corps pickup program provides for roadside pickup of litter on state highways (bagged litter is picked up and disposed by the DOT).
- DOT's Adopt-A-Highway program enlists private and corporate sponsors to clean up segments of state highways. Again, bagged litter is the responsibility of DOT.
- DOC fields litter pickup crews in various locations statewide, through its community corrections and minimum-security inmate populations. This extremely inexpensive work force is used by cities,

counties, and other state agencies to pick up litter and perform other community cleanup activities. Local corrections agencies also provide offender crews for localized cleanup activities.

- State parks and recreation personnel carry out litter prevention and pickup at public recreational facilities statewide, encouraging recycling and using volunteer labor to clean trails and campsites.
- DNR uses its appropriation to fund correction camp crew supervisors, who are responsible for litter pickup, firefighting, trail restoration, etc. Education and enforcement are used to decrease illegal dumping on public lands, as well as pickup.
- Private businesses and industry associations contribute to litter prevention and pickup through sponsorship and participation in cleanup events (e.g., Earth Day, beach cleanups), provision of litter bags, and other activities.

The Task Force agreed that these activities must be more fully integrated and coordinated in order to make maximum headway toward a zero-litter goal. Cooperation among the involved parties can leverage the litter tax funds to provide more prevention and more pickup without increasing costs.

Task Force members also found that sharing information and collaborating on these recommendations provided a new forum for understanding and leveraging litter management resources. Recognizing that Ecology would take on a more centralized role under these recommendations, the other participants are willing and interested in continuing to have input to the issue in constructive ways.

Recommendation: *A central litter control coordinator should be established within Ecology to coordinate, integrate, and strengthen litter prevention and pickup statewide. Ecology should create the dedicated full-time position within the Solid Waste and Financial Assistance Program. This position will create linkages among activities of agencies, local governments, interest groups, and industry, and leverage resources for optimal results.*

The litter control coordinator will track plans and progress in litter prevention and pickup, match available resources with identified needs, and serve as a central resource for collecting and sharing litter information and coordinating cooperative activities. The litter control coordinator should make use of information management tools (e.g., litter survey database, geographic information system to track prevention, pickup, and monitoring statewide) to maintain accountability and share information with the participating entities and other interested stakeholders.

Ecology has committed to instituting a regular program of continued consultation and information sharing with the agencies, local governments, industries, and other stakeholders represented on and outside the Task Force. Ecology has committed to seeking and incorporating broad stakeholder input in program decisions and activities. An appropriate timeline and system for periodic mailings, meetings, and other involvement opportunities will be established collaboratively and Ecology will have the responsibility for carrying out the approach.

RECOMMENDATION 3: ENHANCED BASELINE FOR ECOLOGY YOUTH CORPS

Findings: Ecology has maintained the Youth Corps litter pickup program for 18 years, overseeing groups of young people within each of the four Ecology regions to carry out roadside litter pickup. The youth focus is in the summer season. Medians and difficult-to-reach areas are covered by spring and fall sessions which employ older crew members. Four full-time regional coordinators manage staffing, training, supplies and equipment, and coordination. Crew supervisors oversee actual roadside work.

In 1997, Ecology increased its efforts through the Youth Corps to deal with growing accumulations of roadside litter. Over 60,000 bags of litter have been collected in 1997, up from 20,000 bags in calendar year 1996. The enhanced performance resulted from larger numbers of crew members and the heavy accumulation of litter on the roads. Ecology explained to the Task Force that it believes this is the appropriate level of efficiency for the program, and additional available funds should go to other prevention and pickup activities. Though some replacement of vehicles, etc., may be needed in the future, the current rate of funding can support continuing the Youth Corps productivity at an ambitious level, working toward the goal of zero litter.

Recommendation: *The Ecology Youth Corps should be managed to maintain the ambitious level of litter pickup productivity that was accomplished in the first year of this biennium. Ecology should continue to place priority on fielding crews for pickup, setting aggressive goals for productivity, aiming at maximum coverage of the state's roads, and focusing their teams' efforts on the goal of zero roadside litter. Resources needed to implement this program successfully should continue to be made available so that today's enhanced baseline productivity can continue or improve into the future.*

RECOMMENDATION 4: LOCAL GOVERNMENT FUNDING PROGRAM

Findings: Litter control activities in cities and counties include pickup of casual roadside litter as well as more significant amounts of litter that are illegally dumped. Local governments expend solid waste fees and general account funds to pick up litter and illegal dumps and dispose of the materials. While many jurisdictions rely on local correctional work crews, finding the resources to equip and supervise those crews can represent a hardship. State correctional personnel also support many jurisdictions by providing a labor force to work under local government supervision. Again, assuring the appropriate staffing and equipment to make this achievable can be a problem.

Other innovative ideas are being undertaken by counties and cities (e.g., Tacoma's program to reimburse community groups for litter disposal and Lewis County's illegal dumping enforcement program) to encourage community cleanups, discourage illegal dumping, and obtain offender participation in cleaning up illegal dump sites.

As noted earlier, Ecology received a \$2.1 million appropriation for local government funding in this biennium. Ecology asked the Task Force for its input on how to structure the program. The Task

Force provided a number of ideas to Ecology as it develops the local funding program to make these funds available to cities and counties. The input provided by the Task Force included the following:

- **Get funding to local governments as rapidly as possible to take advantage of the spring/summer 1998 pickup season.** The Task Force urged Ecology to move quickly on designing the local government funding program and getting the word out about its availability. Though the legislative appropriation language specified “local government grants,” the Task Force believes that Ecology should consider other more timely mechanisms, especially in this first year, to expedite local funding. One example would be using interlocal agreements -- essentially contracts -
- between Ecology and the local entities. Rulemaking to establish a traditional grant program may still be required, but interlocal agreements may be appropriate at the program’s inception.
- **Establish expectations and desired outcomes for local government funding.** Ecology should work with local governments to define and measure results of their use of the litter tax funding. Examples provided include measures of litter collected (miles of road cleaned up, volume of litter removed, amount recycled, removal of illegal dumps). First priority should be given to litter pickup. The Task Force prefers local projects that will continue after the initial funding, and that leverage resources through partnerships. Use of volunteer litter crews is desirable. Expectations should, however, be tailored to each jurisdiction’s priorities and conditions.
- **Eligibility should focus on equity and coordination.** Every county should be eligible to apply for these funds. Some funds should be reserved from the first round of funding applications to enable continued or added funding for successful programs, or fund those counties that may not come forward immediately. Funds should be awarded to as many recipients as possible without losing the effectiveness of the money spent. Emphasis should be placed on collaboration and coordination with local resources (e.g., city governments, solid waste advisory committees, law and justice councils) to demonstrate their involvement and show how resources will be leveraged through their participation.
- **Funds should be used to focus on litter pickup, but local governments should have flexibility.** Removal of litter, including illegal dumps, should be the highest priority, but local governments should not be precluded from designing and applying for programs that include prevention and education or for purchase of litter and recycling receptacles. Funds should not, however, be used for maintenance.
- **Conduct broad outreach to let local jurisdictions know about funding availability.** Ecology should work proactively to notify county and city governments, solid waste advisory councils, correctional groups, and other potentially interested parties, about the program.
- **Communities should contribute to the efforts, but matching requirements should be flexible.** High priority should be given to matching resources at the local level, but those matching resources should not be limited to cash contributions. Local contributions of many kinds – staff time, vehicles and tools, disposal costs, administrative support, etc. – should count as local contributions.

Recommendation: *Cities and counties in Washington should receive significant resources to establish and maintain litter prevention and pickup activities within their jurisdictions, including both roadside litter and the results of illegal dumping. Ecology should develop the program,*

including and an outreach program to educate local governments about the availability of funds, the areas of emphasis, and the requirements to coordinate with the statewide program to track coverage and progress. Ecology should have flexibility to use funding vehicles other than traditional grants, if appropriate, to expedite local funding in 1998.

The funding program should be flexible, allowing local governments to use funds broadly to meet their litter and illegal dumping needs. Litter, however, should receive emphasis; the intent is not to spend all funds on illegal dumping. The program should also require accountability for how the funds are spent and for showing results. The program should require local contributions, which may be met by services or resources in-kind at the local level. Recipients should also be encouraged to partner with local resources, such as county law and justice councils and solid waste advisory committees.

RECOMMENDATION 5: ADDITIONAL COMPETITIVE SOURCE OF CAPITAL AND OPERATING FUNDS

Findings: Locating funds for capital expenditures is often the biggest problem for state and local agencies. To support effective litter pickup, vehicles, tools, and storage facilities are often needed. The Task Force supports meeting those needs through a portion of the litter tax fund, but feels strongly that these expenditures must be justified and that Ecology should be accountable for approving requests, granting funds, and monitoring results.

The Task Force recognizes that local governments and state agencies also face needs for operational support, and believes that - if justifiable - funds for non-capital expenditures should also be available. In the case of state correctional crews' availability to local governments, for example, funds for DOC to buy trucks and equipment or to fund crew supervisors, may make the difference in getting a partnership established with a local government agency.

Recommendation: *Ecology should establish a separate tax fund account (\$750,000) using currently unallocated money in the litter tax fund to disburse to local and state agencies for additional litter pickup and prevention needs. These may include capital expenditures and provision of services, but the emphasis should be on tools and equipment (the "Tools and Trucks First" account). Ecology should administer these funds on a grant-like basis and require accountability for the expenditures. The funds should not be used for plans, studies, or surveys, but limited to direct capital or operational support.*

RECOMMENDATION 6: SUPPORT FOR WASTE REDUCTION AND RECYCLING EFFORTS

Findings: The Task Force acknowledged the importance of waste reduction and recycling as stated in the title of the Act. It was concluded that waste reduction, recycling, and education activities are important tools in the prevention of litter. Current activities conducted by Ecology, which include planning, technical assistance, reporting and a 1-800 waste reduction and recycling hotline, are activities which augment litter pickup efforts.

Recommendation: *Funding and support for waste reduction and recycling activities should be continued as an effective tool to help prevent litter and to reach the zero litter goal. Ecology's efforts that are supported by this fund should be maintained.*

RECOMMENDATION 7: ESTABLISH "RAINY-DAY ACCOUNT" AS CONTINGENCY

Findings: The litter tax fund balance fluctuates based on the incoming revenue streams. Some level of contingency or "rainy day account" is justified to address potential shortfalls in funding projections. Also, as the overall litter management program is changed in light of these recommendations, there is some uncertainty as to costs of various elements. Again, some cushion would be helpful until the program stabilizes and achieves a track record in this mode.

Recommendation: *The Legislature should allocate \$500,000 from the amount unappropriated in the litter tax fund to an ongoing contingency account. Any income generated by this account should remain in it, pending biennial budget review.*

RECOMMENDATION 8: STATEWIDE LITTER SURVEY

Findings: Previous evaluations of the composition and amount of litter picked up on Washington's roadsides have allowed some profiling of where litter comes from, what segments of the public are most likely to litter, and what materials comprise litter in different parts of the state. For example, a predominant amount of litter was found to come from young males, ages 18 to 34. Materials littered most often include candy, gum, snacks, and ice cream wrappers; napkins, tissues, bags, and picnic items; cigarettes, matches, and tobacco products; and other miscellaneous paper items. Those data, however, were collected in 1990, and are not believed to represent today's situation.

The Task Force strongly opposes studying litter composition for its own sake, but supports a targeted composition survey statewide that can serve as the basis for effective and productive litter prevention and pickup efforts. That survey should take place this year, and be directly reflected in implementation of the other recommendations (e.g., prevention campaign, coordination of litter pickup efforts).

Recommendation: *Ecology should design and conduct a statewide litter composition survey as a basis for accomplishing enhanced litter pickup, educational efforts, and future planning.*

The survey should be conducted in 1998, and evaluated every biennium. Results should be tracked in a database that is housed with the Ecology litter control coordinator, and should be updated on an ongoing basis based on reported information. The survey should be designed with input from interests represented on the Task Force, and should take advantage of information available from participating agencies, businesses, and local governments. It should collect usable data on current litter volumes, composition, sources, the groups contributing to the problem, effectiveness of litter prevention, and levels of littering in different areas of the state. Information should be standardized for reporting and tailored to how it will be used.

RECOMMENDATION 9: CONDUCT STATEWIDE LITTER PREVENTION CAMPAIGN IN PARTNERSHIP WITH LOCAL GOVERNMENT AND TAX-PAYING BUSINESSES

Findings: The Task Force agrees that prevention of litter – keeping it off the roadsides and public places in the first place – is a necessary component of the state’s litter control efforts. Pickup has increased significantly, but litter deposition rates continue to rise. Something else is needed to prevent a continued increase in littering, and to begin to reduce the rate at which littering occurs.

At the same time, members believe that “education” can be a difficult-to-measure activity that may or may not create results. Brochures, leaflets, and press releases do not constitute a prevention campaign. A coordinated effort that is consistent in its targets and methods, and coordinated in terms of geographic coverage and leveraging of resources, makes the most sense in Washington.

Recommendation: *Ecology should coordinate the design and implementation of a statewide litter prevention campaign that takes maximum advantage of the marketing and communication capabilities of Washington industry (litter taxpayers) to create a successful campaign. Appropriate state agencies, local governments, and tax-paying businesses should be involved in the early planning stages as well as later implementation. The campaign should use a variety of media, formats, and audiences, but should have consistent themes and be coordinated by Ecology for consistency and effectiveness to include both rural and urban areas.*

Themes should be based on the results of the litter survey in Recommendation 8, but are expected to include establishing an anti-litter ethic in children and youth, raising awareness of the enforcement system and the costs for violating it, and focusing on specific problem litter as indicated by the survey. Recycling should be presented as an alternative to littering. The campaign should be designed for two years, with ability to measure effectiveness linked to overall tracking of litter pickup results. It should be coordinated with other solid waste management and recycling activities of Ecology and other entities.

RECOMMENDATION 10: STRENGTHEN ENFORCEMENT OF EXISTING LEGAL FRAMEWORK FOR LITTER AND ILLEGAL DUMPING

Findings: The Task Force members believe that many residents of Washington are unaware of the existing legal framework prohibiting littering and illegal dumping, or the potential penalties. Research on enforcement of litter violations indicated that very few such citations are given or pursued to sentencing. There were cases relating to littering, including 127 in 1994, 506 in 1995, and 490 in 1996. However, a large percentage of those cases were dismissed. Even the state requirement to carry a litter bag in every motor vehicle is largely unknown. There were only seven court cases relating to this in 1995 and five in 1996. While some counties and cities have enforcement authority for littering and illegal dumping, that coverage is not uniform and is not strongly enforced.

Recommendation: *The existing legal framework for litter and illegal dumping, both state and local, appears to be largely adequate. What is recommended is an increased emphasis on enforcing existing laws and ordinances. The Task Force recommends that the Legislature emphasize to the State Patrol the importance of enforcing litter laws. Ecology should work with local governments to strongly encourage them to enforce against littering and illegal dumping within their jurisdictions. The Task Force also recommends that state and local penalties for littering and illegal dumping be set at levels sufficient to provide meaningful incentives for compliance. As part of the prevention campaign described in Recommendation 9, messages about the existing enforcement system for litter and illegal dumping infractions should be broadly disseminated and incorporated, along with more positive messages.*

RECOMMENDATION 11: 100 PERCENT COMPLIANCE IN LITTER TAX COLLECTION

Findings: The Task Force researched the effectiveness of DOR at collecting the litter tax from eligible businesses. There were concerns about equity – were all the companies that owe the tax making their required payments? DOR estimates that it achieves a 76 percent compliance rate. It has trouble pursuing eligible taxpayers that never make the required payment; it is far easier to target firms that pay once and miss their payments in the future.

It takes gross sales of litter-taxable items of \$250,000 per year to result in a litter tax liability of \$37.50. Over 50 percent of the firms that pay the litter tax pay \$37.50 per year or less, making up less than two percent of the total revenues. DOR also estimates that the approximately 24 percent of eligible firms that pay no tax would generate about \$1 million in tax revenues if they complied. The Task Force evaluated the possibility of setting a minimum tax amount for all businesses to simplify reporting and payment and add to the equity of funds collected.

Discussion also included potential changes to the structure of the tax system itself, as some of the included sectors have changed considerably since the passage of the original law in what they market and the litter potential of their products. Grocers, for example, pay litter tax on 95

percent of their sales. Some members believe that the litter tax fund should be capped at some level so that only the level of funding needed for effective litter pickup needs to be paid by taxpaying firms. Another alternative might be to cap the amount an individual business must pay. These alternatives are difficult to achieve administratively, but received significant discussion.

The Task Force concluded that both minimum and maximum tax amounts should be considered as a package for potential implementation by legislation.

Recommendation: *The Task Force recommends that the Legislature direct DOR to work toward 100 percent compliance with the litter tax so that all eligible businesses with a tax liability are actually paying their share of the tax. DOR should enhance its notification, followup, and enforcement to ensure that all applicable funds are collected and available to the fund. Potential changes in the tax payment structure (e.g., timing of payments, placement on tax forms) should be considered to enhance compliance. The Legislature should also consider establishing minimum and maximum amounts of tax to be paid by eligible firms.*

RECOMMENDATION 12: ALLOW CORPORATE LOGOS ON ADOPT-A-HIGHWAY SIGNS

Findings: There is significant potential for enhancing pickup of litter on state highways through DOT's new program to encourage corporate sponsorship of sections of highway for litter pickup. Based on experience in other states, Washington's ability to attract corporate sponsors would be greatly enhanced if corporate logos were allowed on road signs indicating their sponsorship. This is not currently allowed in statute. The Task Force believes that such a statutory change would be positive.

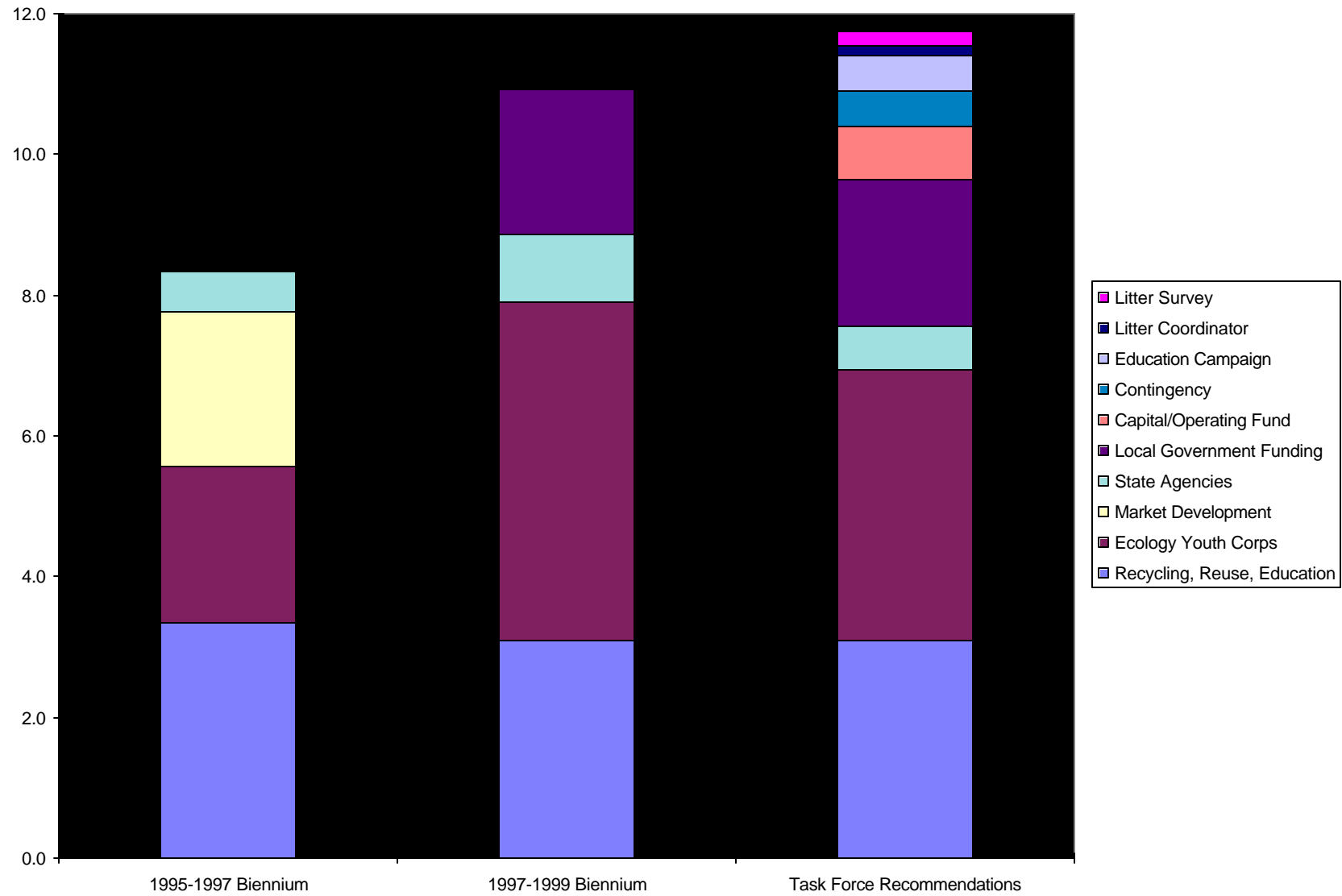
There was discussion about the feasibility of prohibiting corporate logos if a business or corporation is maintaining illegal signs along highways or if a corporation advertises on a sign on tribal trust land that would otherwise be illegal under state and federal scenic highway laws. While no resolution was reached by the Task Force, this may be a matter for future legislative or DOT attention. In addition, DOT should be encouraged to make use of litter and recycling receptacles, and the volunteer cleanup option, at highway rest areas (adopt-a-rest-area).

Recommendation: *The Legislature should make the necessary statutory changes to allow corporate sponsors of DOT's Adopt-A-Highway program to include commercial logos on highway sponsorship signs. This would enhance the ability of this promising program to achieve broader geographic coverage in litter pickup and achieve maximum use of volunteer efforts. DOT should develop guidelines for logo size and display. DOT should be encouraged to extend its anti-litter and cleanup efforts to highway rest areas.*

5. WHAT IT WILL COST: TAX FUND IMPLICATIONS OF RECOMMENDATIONS

The challenge for the Task Force was to define a system of litter control mechanisms that would optimize the use of litter tax funds. For the current biennium, approximately \$12 million is projected to be available. Figure 4 illustrates the recommended distribution of those funds to support the values and commitments contained in the Task Force recommendations, as compared with allocations and appropriations as they had been previously established for the current biennium and as they were expended in the past biennium.

Figure 4. Recommended Litter Tax Allocation Changes - 1997-1999



6. NEXT STEPS: IMPLEMENTING THE RECOMMENDATIONS

The Task Force recognizes that its recommendations fall in the middle of a biennial funding period, and that their implementation will call for various types of action – legislative, administrative, and policy. The next steps recommended by the Task Force can be categorized as follows:

Administrative and Policy Actions

- Ecology should continue development of the local government funding program as rapidly as possible, deploying it in early 1998. If rulemaking for subsequent funding cycles is needed, that process should start early in 1998 as well. The goal is to distribute the local government funds quickly to support timely development of local litter pickup programs, and to allow for the necessary coordination of local and state agency entities.
- Ecology should proceed immediately to create the litter coordinator position, and to launch the recommended efforts to link resources, track litter pickup progress, and continue coordination with all interested stakeholders.
- Ecology should begin planning for the statewide litter survey, and thereafter the prevention campaign, with the involvement of all interested stakeholders.

Legislative Actions

- The Legislature, in its next budget appropriation process, should reflect the recommendations of the Task Force related to:
 - Centralized Ecology accountability for state agency funding
 - Support for local government litter management
 - Establishment of a “Tools and Trucks First” account for local and state agency litter control needs
 - Continuation of funding for waste reduction and recycling efforts at current levels
 - Establishment of a “rainy day account” contingency fund within the litter tax account
- The Legislature should consider legislation needed to implement the Task Force recommendation to allow logos on DOT Adopt-A-Highway signs.
- The Legislature should provide direction to DOR to work toward 100 percent compliance with the litter tax, and should consider establishing minimum and maximum levels of tax liability.
- The Legislature should encourage the State Patrol to strengthen enforcement of existing litter laws, and consider increasing penalties to provide meaningful incentives for compliance.

Members of the Task Force remain available to answer questions or participate in implementation of this strategy at agency and legislative levels.